

## **MERIT SYSTEMS PROTECTION BOARD (MSPB) FACT SHEET**

### **Employees Who May Appeal to the MSPB**

Generally, employees who may appeal adverse actions and performance-based actions are those in the competitive service who have completed a probationary period. Probationary employees have limited appeal rights.

You may pursue a discrimination complaint under the MSPB appeal procedure without using the federal sector Equal Employment Opportunity complaint process. The case which contains a personnel action and also alleges the action was discriminatory - may be appealed to MSPB. **Some types of agency adverse actions that may be appealed to the Board include: removals, suspension for more than 14 days, reductions in pay or grade and furloughs of 30 days or less.** .

The time limit for appeal to the MSPB is **30 calendar days** after the effective date of the personnel action that you believe to be discriminatory in nature. Under such an appeal, you are entitled to a hearing by the MSPB. In addition, you may petition the Equal Employment Opportunity Commission (EEOC) to review the final decision of the MSPB on the allegation(s) of discrimination.

**Where to File an Appeal:** Generally, you must file your appeal with the Board's regional or field office that is responsible for your geographic area. A listing of addresses or MSPB regional and field offices is available on the MSPB Website at [www.mspb.gov](http://www.mspb.gov)

**Overseas areas contact information:** Washington DC Regional Office, PJ Winzer, Regional Director and Chief Administrative Judge, 1800 Diagonal Road, Suite 205, Alexandria, VA 22314-2840. Phone: (703) 756-6250 / Fax (703) 756-7112  
[washingtonregion@mspb.gov](mailto:washingtonregion@mspb.gov)

### **How to File an Appeal:**

You may file your appeal by mail, by fax, by commercial overnight delivery, or by personal delivery. You must submit **an original and one copy of both your appeal and all attachments**. Information to file an appeal and other pleadings is available on [www.mspb.gov/howtoappeal.html](http://www.mspb.gov/howtoappeal.html) . If you prefer to file your appeal electronically, please visit the MSPB website – [www.mspb.gov](http://www.mspb.gov) and follow the link to e-Appeal.